



McDonnell Boehlen Hulbert &amp; Berghoff LLP

## Fax transmittal



To	OIPE	Date	January 13, 2005
Company	United States Patent and Trademark Office	From	Eileen M. Martin
Fax	703-746-4060	Direct	312 913 0001 x 2172
Phone		Email	emartin@mbhb.com
Copy To		C/M	03-465-A and 03-465-B
Pages, with cover	2		
Re	Applicant: James McSwiggen et al. in applications <u>10/693,059</u> filed 10/23/03 and <u>10/720,448</u> filed 11-24-03		

Dear Sirs,

On Friday, January 7, 2005, the applicant submitted Declarations of the inventors along with a Petition for an Extension of Time. Due to clerical error, the box for a three-month extension of time was checked and the corresponding fee included. In fact, however, a request for four-month extension of time was required and intended. It is noted, however, that authorization to charge our deposit account was given, and, therefore, the applicants understand that pursuant to MPEP 710.02, the Patent Office will treat the petition as one requesting the appropriate period of extension and charge the additional fees to our deposit account. If this is not the case, the applicants hereby petition for an additional extension of time and authorize the Patent Office to charge the deposit account number 13-2490. A copy of the previously submitted Petitions for application serial nos. 10/693,059 and 10/720,448 are included with this transaction.

Respectfully,

Jason J. Derry

Agent for Applicant  
Reg. No. 50,692

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Please contact us if all pages are not received. If you received this fax in error, please contact us to arrange for return of the document.

**COPY****PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)****ADDRESS TO:**

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450**

Attorney Docket No.: 03-465-B  
(400.138)  
Application No.: 10/720,448  
Filing Date: November 24, 2003  
First Named Inventor: McSwiggen, et al.  
Group Art Unit: 1635  
Examiner: To Be Assigned

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application to and including January 8, 2004.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

- |  |          |
|--|----------|
| <input type="checkbox"/> One Month (37 CFR 1.17(a)(1))               | \$       |
| <input type="checkbox"/> Two Months (37 CFR 1.17(a)(2))              | \$       |
| <input checked="" type="checkbox"/> Three Months (37 CFR 1.17(a)(3)) | \$510.00 |
| <input type="checkbox"/> Four Months (37 CFR 1.17(a)(4))             | \$       |
| <input type="checkbox"/> Five Months (37 CFR 1.17(a)(5))             | \$       |

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ 510.00

☒ A check in the amount of the fee (\$510.00) is enclosed.

☒ The Commissioner is hereby authorized to charge any fees which may be required or to credit any overpayment to Deposit Account Number 13-2490. I have enclosed a duplicate copy of this sheet.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name	Jason J. Derry
Reg. No.	50,692
Signature	
Date	January 7, 2005

EXT (Rev. 1/3/01)